



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,264	01/20/2004	Chaucer Chiu	TAIW 205	6867

7590 12/20/2007
RABIN & CHAMPAGNE, P.C.
Suite 500
1101 14 Street, N.W.
Washington, DC 20005

EXAMINER

OMOTOSHO, EMMANUEL

ART UNIT	PAPER NUMBER
----------	--------------

3714

MAIL DATE	DELIVERY MODE
-----------	---------------

12/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/759,264

Applicant(s)

CHIU ET AL.

Examiner

Emmanuel Omotosho

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Examiner's Position

1. On page 4 of the applicant's specification, applicant admitted prior art that Geographical Information System is known in the field of computer science. It is to the examiner's understanding that a **geographic Information System (GIS)** is a system for capturing, storing, analyzing and managing data and associated attributes that are spatially referenced to the earth. In the strictest sense, it is a computer system capable of integrating, storing, editing, analyzing, sharing, and displaying geographically-referenced information. In a more generic sense, GIS is a tool that allows users to create interactive queries (user created searches), analyze the spatial information, edit data, maps, and present the results of all these operations using vector data, grid/topological modeling and map overlays
(http://en.wikipedia.org/wiki/Geographic_information_system).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang et al. ("Wang") US Patent No. 6,716,106 B2.

Wang discloses a simulation system:

4. Claims 1,5,8: integrating geographical information provided by a geographical information system for forming a game background and creating game course interaction (Par 2 lines 38-44).
5. A manipulation displaying module, displaying a game background according to a move signal generated by a manipulation action, and operating a game course according to a trigger signal generated by another manipulation action (Par 5 lines 55-60). A logic computing module, receiving a move signal and performing logic computing of character coordinate data and a corresponding display area respectively, and further receiving a trigger signal and performing logic computing of corresponding event coordinate data (Fig 4 El. 410,412).
6. A geographical information system, providing map layer data according to the display area and performing geographical information analysis corresponding to the event coordinate data (Par 2 lines 38-44). A geographical information database, storing the map layer data corresponding to the display area and the geographical information corresponding to the event coordinate data (Par 2 lines 38-44, Par 5 lines 15-20, 50-50). A game database, storing a plurality of game course sequences corresponding to the event coordinate data, and a plurality of background object data corresponding to the display area (Par 3 lines 48-55). A background generator module, receiving the map layer data to perform stacking logic computing and generate the game background, and further executing a game course sequence according to event coordinate data (Par 3 lines 35-55, Par 5 lines 15-20).

7. Claims 2,6: map layer data comprises at least a vector layer data and a grid layer data (Par 2 lines 38-44).
8. Claims 3,10: wherein the geographical information analysis comprises at least a buffer zone analysis, a route analysis, a space topology analysis, a slope inclination analysis, a 3-dimensions view analysis or a tendency forecast analysis (Par 3 lines 5-18, 30-55).
9. Claims 4,7: wherein the display area is a maximal visible area from the character coordinate data (Fig 1D, Fig 2).
10. Claim 9: comprising reading and executing a preset game course sequence corresponding to the event coordinate data when the event coordinate data correspond to a game course event (Par 3 lines 35-55, Par 5 lines 15-20).

Response to Arguments

11. Applicant's amendments, filed 10/16/07, with respect to rejections under 35 U.S.C. 112 second paragraph have been fully considered and are persuasive. The rejections under 35 U.S.C. 112 second paragraph has been withdrawn.
12. Applicant's arguments filed 10/16/07 have been fully considered but they are not persuasive.
13. On page 7-8, applicant argues, "More particularly, Wang et al. fails to teach or suggest the background generator module recited in independent claim 1, i.e. "a background generator module, receiving the map layer data to perform overlay computing and generate the game background, and further executing a game course sequence according to event coordinate data". The Office Action alleges that the

background generator module is disclosed in Wang et al., in column 3, lines 35-55", "The excerpt from column 3 describes an activity platform 202 that presents "extruding objects 214A, 218A and a pit hole 216B" to represent objects in a selected scene, and the sentence taken from column 5 discloses the use of a GIS, but in neither of these places is there any teaching or suggestion of "receiving the map layer data to perform overlay computing and generate the game background, and further executing a game course sequence according to event coordinate data" as claimed." Applicant posed similar arguments on page 9.

14. The examiner respectfully disagrees. As described in the previous office action, Wang teaches the system executed with help of a geographic information system (GIS). Under the examiner's position stated above, it was made known the examiner's position on the definition of GIS used in the art by citing information from the above disclosed website. Specifically, the examiner made it known that GIS are known to allow users to create interactive queries (user created searches), **analyze the spatial information, edit data, maps, and present the results of all these operations using vector data, grid/topological modeling and map overlays.** The information from this website is acquiesced by applicant as pertinent prior art.

15. Therefore in regards to applicants' arguments above, since Wang teaches the use of GIS in a simulation game system, the examiner believes receiving map layer data to perform overlay computing and generating backgrounds according to the data is inherent of a GIS.

16. On page 8, applicant argues, "With respect to independent method claim 5, Wang et al. fails to teach or suggest the claimed steps of "transmitting a display area corresponding to the game character coordinate data and accessing a map layer data; according to coordinates of the display area and a vector layer data, performing a first map overlay computing". The Office Action does not analyze each independent claim separately, but asserts alleged equivalents in Wang et al. to the elements recited in claim 1 only, and alleges that this is sufficient to also overcome independent claims 5 and 8."

17. Examiner respectfully disagrees. In the above rejection, the Examiner addresses these limitations by stating " A geographical information system, **providing map layer data according to the display area and performing geographical information analysis corresponding to the event coordinate data (Par 2 lines 38-44).** A geographical information database, storing the map layer data corresponding to the display area and the geographical information corresponding to the event coordinate data (Par 2 lines 38-44, Par 5 lines 15-20, 50-50). A game database, storing a plurality of game course sequences corresponding to the event coordinate data, and a plurality of background object data corresponding to the display area (Par 3 lines 48-55). **A background generator module, receiving the map layer data to perform stacking logic computing and generate the game background, and further executing a game course sequence according to event coordinate data (Par 3 lines 35-55, Par 5 lines 15-20).**"

18. On page 9, applicant argues, "With respect to independent claim 8, as the Office Action provides no separate analysis of this claim, there is not even any allegation in the Office Action that Wang et al. teaches or suggests, for example [detecting a trigger signal and generating corresponding event coordinate data; transmitting the event coordinate data corresponding to the trigger signal]."

19. The examiner disagrees. Please see paragraph 5 above.

20. On pages 9-10, applicant argues "*Further, with respect to dependent claims 3 and 10, Wang et al. fails to teach or suggest the claimed geographical information analysis, "wherein the geographical information analysis comprises at least one of a buffer zone analysis, a route analysis, a space topology analysis, a slope inclination analysis, a 3-dimensions view analysis, or a tendency forecast analysis". The Office Action alleges with respect to claims 3 and 10, that the above feature is disclosed*

21. *In column 3, lines 5-18 of Wang et al.:*

a. *In one preferred embodiment, the system of the present invention will determine if the tour can be taken based on the location selected by the user. If the tour cannot be taken in a reasonable way, the system will automatically select a possible tour location for user; or via Virtual Reality (VR) technology, to simulate and display the simulation result to the user. For example, if the user selects a tour traveling in a river, the system will display a scene just like the user is taking the tour riding in a boat. Various possible modifications, omissions, and alterations could be conceived of by persons skilled in the art to the form and the content of any particular embodiment described above, without departing from the scope of the present invention*

22. *....and in lines 30-55:*

b. *Once the tour location has been selected, the scene of that tour location will be displayed to the user 220 via the display screen 206, the condition of the temperature and the sunshine at the tour location will be simulated by the air conditioning device 208 and the controlled light*

source 212 respectively, and the simulation result will be presented to the user. Moreover, the geographical environment condition is simulated and presented by the activity platform 202. For example, when the user is walking up a slope, like what is shown in FIG. 5A, the activity platform 202 will calculate the related variables, such as the degree of inclination θ , and simulate the geographical environment condition based on the slope of the road, which eventually makes the user apply more energy to walk on the road being simulated on the activity platform 202. In another example, if the scene selected by the user has a big stone 214A, a small stone 218A and a pit 216A on the road, the system will generate the situation and present on the activity platform 202, as what is illustrated in FIG. 5B, and thus making the user feel like walking on the road with all the stones and pits. To simulate that scenario, the real- scene tour simulation system 200 will send out an associated signal, and the activity platform 202 will simulate accordingly. When the user 220 enters the simulated tour location, the activity platform 202 will present extruding objects 214B and 218B and a pit hole 216B corresponding to the stones 214A, 218A (the big stone and the small stone respectively) and the pit 216A”

23. The examiner has bolded one of the many portions of the cited sections that meet the argued limitation. The bolded section teaches route analysis.

24. In column 3, lines 5-18 of Wang et al.:

C. In one preferred embodiment, **the system of the present invention will determine if the tour can be taken based on the location selected by the user. If the tour cannot be taken in a reasonable way, the system will automatically select a possible tour location for user;** or via Virtual Reality (VR) technology, to simulate and display the simulation result to the user. For example, if the user selects a tour traveling in a river, the system will display a scene just like the user is taking the tour riding in a boat. Various possible modifications, omissions, and alterations could be conceived of by persons skilled in the art to the form and the content of any particular embodiment described above, without departing from the scope of the present invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Omotosho whose telephone number is (571) 272-3106. The examiner can normally be reached on m-f 10-6.

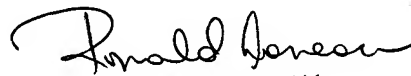
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/759,264
Art Unit: 3714

Page 10

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EO


RONALD LANEAU
PRIMARY EXAMINER
12/19/07